

LATHAM & WATKINS LLP
James K. Lynch (CA Bar No. 178600)
jim.lynch@lw.com
505 Montgomery Street, Suite 2000
San Francisco, California 94111-6538
Telephone: +1.415.391.0600
Facsimile: +1.415.395.8095

LATHAM & WATKINS LLP
Richard P. Bress (Admitted Pro Hac Vice)
rick.bress@lw.com
Michael E. Bern (Admitted Pro Hac Vice)
michael.bern@lw.com
John S. Cooper (Admitted Pro Hac Vice)
john.cooper@lw.com
555 Eleventh Street, NW, Suite 1000
Washington, DC 20004-1304
Telephone: +1.202.637.2200
Facsimile: +1.202.637.2201

Attorneys for Plaintiff
The American Beverage Association

Additional Counsel on Signature Page

UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF CALIFORNIA
SAN FRANCISCO DIVISION

THE AMERICAN BEVERAGE
ASSOCIATION, CALIFORNIA RETAILERS
ASSOCIATION, CALIFORNIA STATE
OUTDOOR ADVERTISING ASSOCIATION,

Plaintiffs,

v.

THE CITY AND COUNTY OF SAN
FRANCISCO,

Defendant.

CASE NO. 3:15-cv-03415-EMC

**STIPULATION AND ~~[PROPOSED]~~
ORDER CONTINUING INITIAL CASE
MANAGEMENT CONFERENCE AND
SETTING BRIEFING SCHEDULE FOR
MOTION FOR PRELIMINARY
INJUNCTION**

Pursuant to Civil Local Rules 6-1 and 6-2, Plaintiffs The American Beverage Association, California Retailers Association, and California State Outdoor Advertising Association (“Plaintiffs”), and Defendant The City and County of San Francisco, hereby stipulate as follows:

WHEREAS, the Court has scheduled the Initial Case Management Conference for October 29, 2015;

WHEREAS, on July 28, 2015, this Initial Case Management Conference was reset to November 5, 2015 (Dkt. No. 22);

WHEREAS, on September 8, 2015, the Initial Case Management Conference was reset to November 9, 2015 at 9:30 a.m. (Dkt. No. 36);

WHEREAS, Plaintiffs intend to file a Motion for Preliminary Injunction regarding San Francisco Ordinance No. 100-15, adding art. 42, div. I, §§ 4200-4206 to San Francisco Health Code (June 25, 2015);

NOW, THEREFORE, in the interest of judicial economy and good cause showing, the undersigned parties, by and through their counsel of record, hereby agree and stipulate, and the Court hereby orders, as follows:

(1) The Initial Case Management Conference, currently scheduled for November 9, 2015 at 9:30 a.m., shall be continued to December 17, 2015 at 9:30 a.m.;

(2) The parties will have the Rule 26(f) conference by November 16, 2015;

(3) The parties will exchange Rule 26 disclosures by November 23, 2015.

(4) The parties further agree on the following Motion for Preliminary Injunction briefing schedule:

(a) Plaintiffs’ motion papers shall be filed and served on January 12, 2016;

(b) Defendant’s opposition papers due by February 23, 2016;

(c) Plaintiffs’ reply papers due by March 15, 2016
April 7, 2016 at 1:30 p.m.

(d) the hearing shall be on ~~March 24, 2016, subject to the Court’s availability.~~

The parties respectfully request that the Court enter an Order approving this

1 Stipulation.

2 IT IS SO STIPULATED.

3
4 Dated: October 26, 2015

Respectfully submitted,

5 LATHAM & WATKINS LLP

6
7 By /s/ James K. Lynch

James K. Lynch
LATHAM & WATKINS LLP
505 Montgomery Street
Suite 2000
San Francisco, CA 94111-6538
T +1.415.391.0600
F +1.415.395.8095
jim.lynch@lw.com

12 Richard P. Bress
Michael E. Bern
John S. Cooper
LATHAM & WATKINS LLP
555 Eleventh Street, NW
Suite 1000
Washington, D.C. 20004-1304
T +1.202.637.2200
F +1.202.637.2201
rick.bress@lw.com
michael.bern@lw.com
john.cooper@lw.com

18 *Attorneys for Plaintiff*
The American Beverage Association

19
20 By /s/ Theodore B. Olson

Theodore B. Olson (Bar No. 38137)
Andrew S. Tulumello (Bar No. 196484)
Helgi C. Walker (Admitted Pro Hac Vice)
Jacob T. Spencer (Admitted Pro Hac Vice)
GIBSON, DUNN & CRUTCHER LLP
1050 Connecticut Avenue, N.W.
Washington, DC 20036-5306
T +1.202.955.8668
F +1.202.530.9575
tolson@gibsondunn.com
atulumello@gibsondunn.com
hwalker@gibsondunn.com
jspencer@gibsondunn.com

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By /s/ Charles J. Stevens
Charles J. Stevens (Bar No. 106981)
Joshua D. Dick (Bar No. 268853)
GIBSON, DUNN & CRUTCHER LLP
555 Mission Street
San Francisco, CA 94105-0921
T +1.415.393.8233
F +1.415.374.8469
cstevens@gibsondunn.com
jdick@gibsondunn.com

Attorneys for Plaintiff
California State Outdoor Advertising
Association

By /s/ Thomas S. Knox
Thomas S. Knox (Bar No. 73384)
KNOX, LEMMON & ANAPOLSKY, LLP
300 Capitol Mall, Suite 1125
Sacramento, CA 95814
T +1.916.498.9911
F +1.916.498.9991
tknox@klalawfirm.com

Attorneys for Plaintiff
California Retailers Association

Dated: October 26, 2015

By: /s/ Dennis Herrera
Dennis Herrera (Bar No. 139669)
City Attorney
Jeremy Goldman (Bar No. 218888)
Christine Van Aken (Bar No. 241755)
Deputy City Attorneys
City Hall, Room 234
#1 Dr. Carlton B. Goodlett Place
San Francisco, CA 94102-4682
T +1.415.554.4700
F +1.415.554.4745
Dennis.Herrera@sfgov.org
Jeremy.Goldman@sfgov.org
Christine.Van.Aken@sfgov.org

ATTESTATION CLAUSE

Pursuant to Civil Local Rule 5-1(i)(3), I hereby certify that I obtained in the filing of this document the concurrence from all parties whose electronic signatures appear above.

Dated: October 26, 2015

LATHAM & WATKINS LLP

By: /s/ James K. Lynch
James K. Lynch

PURSUANT TO STIPULATION, IT IS SO ORDERED. (as modified on p. 1)

DATED: October 30, 2015

Hon. Edward M. Chen
United States District Judge

